

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
BLUEFIELD DIVISION

THE CITY OF HUNTINGTON,

Plaintiff,

v.

Case No: 3:17-cv-01362

AMERISOURCEBERGEN DRUG  
CORPORATION, CARDINAL HEALTH INC, and  
MCKESSON CORPORATION,  
GREGORY DONALD CHANEY, M.D.,

Defendants.

**NOTICE OF WITHDRAW OF  
PLAINTIFF'S MOTION TO DISMISS PURSUANT TO RULE 41(A)(2)  
OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Comes now the Plaintiff, The City of Huntington, by and though counsel, gives notice that the Plaintiff hereby withdraws the previously filed *Motion to Dismiss Pursuant to Rule 41 (a)(2)*. The Plaintiff no longer wishes to pursue dismissal of this matter.

**WHEREFORE**, for the forgoing reasons, the Plaintiff, The City of Huntington respectfully requests that this Court permit it to withdraw its *Motion to Dismiss Pursuant to Rule 41 (a)(2)* and for such further relief as this Court deems necessary.

Respectfully submitted,  
**THE CITY OF HUNTINGTON**,  
By Counsel,

s/Charles R. "Rusty" Webb  
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**CERTIFICATE OF SERVICE**

I, Charles R. Webb, counsel for Plaintiff, the City of Huntington, do hereby certify service that on July 24, 2017, I served the forgoing **NOTICE OF WITHDRAW OF PLAINTIFF'S MOTION TO DISMISS UNDER RULE 41(A)(2) OF THE FEDERAL RULES OF CIVIL PROCEDURE** upon the parties hereto by filing a true copy thereof *via* ECF to the following counsel of record:

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